

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**COURTROOM PROCEEDINGS**

The court met in its courtroom at 10:00 A.M. Present: Honorable Nickolas J. Dibiaso, Acting Presiding Justice; Honorable Timothy S. Buckley, Associate Justice; Honorable Betty L. Dawson, Associate Justice; and Kay Frauenholtz, Clerk/Administrator, by Diana Monopoli, Deputy Clerk.

**F046247      In re Marriage of Jeannie and Jenaro Garcia**

Cause called and argued by Jeannie Garcia, respondent in propria persona. Jenaro Garcia, appellant in propria persona did not respond to the oral argument questionnaire.

Cause ordered submitted.

At this point Dibiaso, Acting P.J. directs Buckley, Acting P.J. to act as Presiding Justice in his absence, leaves the bench and is replaced by Levy, J.

**F044824      People v. San Miguel**

Cause called and argued by Richard Doctoroff, Esq., counsel for appellant and by Jamie A. Scheidegger, Deputy Attorney General, counsel for respondent.

Cause ordered submitted.

Court recessed until Wednesday, March 9, 2005 at 1:30 P.M.

The court reconvened in its courtroom at 1:30 P.M. Present: Honorable Thomas A. Harris, Acting Presiding Justice; Honorable Rebecca A. Wiseman, Associate Justice; Honorable Betty L. Dawson, Associate Justice; and Kay Frauenholtz, Clerk/Administrator, by Robert Abilez, Senior Deputy Clerk.

**F044079      Jim Todd et al. v. The Insurance Corp. of New York**

Cause called and argued by Leticia E. Pepper, Esq. counsel for appellant and by Annette Ballatore-Williamson, Esq., counsel for respondent.

Cause ordered submitted.

Court recessed until Thursday, March 10, 2005 at 1:30 P.M.

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**F044340      People v. Melgoza**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F044340      People v. Melgoza**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F044094      People v. Souza**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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**F044094      People v. Souza**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F044805      The Cross Church Men's Society, etc. v. Executive Committee etc. et al.**

We affirm the trial court's order granting the preliminary injunction insofar as it prohibits the Board from terminating or inactivating the membership of any member for the reason that he or she signed, circulated, or supported the Society's meeting petition, and insofar as it directs the Board to reinstate all such persons to active membership status pending a judgment on the merits of the Society's petition for writ of mandate. We disapprove of the order insofar as it purports to apply to members terminated or inactivated for any other reason and order the trial court to prepare a new order consistent with this disposition. Respondent is awarded its costs on appeal. Buckley, Acting P.J.

We concur: Levy, J.; Cornell, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]